



Missouri Board for Architects,  
Professional Engineers, Professional Land Surveyors  
and Landscape Architects

# Dimensions

VOLUME 3, ISSUE 1

SUMMER 2003

## CHAIRMAN'S LETTER

By: James S. Anderson, PLS

Since becoming Chairman of the Board, I have had the privilege of meeting with licensees at various functions. A commonl y asked question at these functions is what kind of complaints does the Board receive. The types of the complaints received are shown in the Board's 2002 year end report. A copy of the report is contained in this newsletter.



The report gives statistics on examinations, licenses granted, complaints filed in 2002, and complaints closed in 2002. The breakdown of new complaints shows the nature of the complaints filed in 2002.

When looking at the types of complaints filed in 2002, the category that stands out is complaints alleging unlicensed practice. During 2002, 53 of the total of 110 complaints filed were for alleged unlicensed practice. In 2001, about 40 percent of the complaints received were for unlicensed practice. From

1998 through 2000, the percentage of complaints alleging unlicensed practice was even lower, between 33 and 38 percent.

In the Board's newsletter of July, 2002, I stated unlicensed practice was a major concern to the Board and we would continue to search for a remedy to the problem. Since the percentage of complaints of unlicensed practice is rising, we apparently have yet to find the solution.

On February 3, 2003, representatives of AIA-Missouri, MSPE, MSPS, and MALA met with the Board to discuss legislation and other matters of mutual interest. Unlicensed practice was among the topics discussed. The association representatives also discussed civil fines as a method to discourage unlicensed practice.

During that same meeting, AIA-Missouri representatives discussed a draft of a proposed bill to revise Chapter 327 to allow the Board the ability to levee civil fines. Stuart Scroggs was selected to chair a committee of Board Members who reviewed and offered comments on the proposal. If the other associations agree with this concept, I would strongly encourage them to work with AIA-Missouri in their legislative efforts.

According to the Board's mission statement, one of the responsibilities of the Board is to protect the

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property of the inhabitants of the State of Missouri from "damage or destruction through dangerous, dishonest, incompetent or unlawful architectural, professional engineering, land surveying, or landscape architectural practice". The Board will be better able to meet this objective when it finds a way to reduce or eliminate unlicensed practice.

Before closing, I would like to thank Stuart Scroggs for the service he has given the Board. Stuart was a very knowledgeable, dedicated, and dependable Board Member and his efforts are very much appreciated.

## ARCHITECTURAL DIVISION LETTER

By: Charles Hill  
Division Chair



During this past year, the Architectural Division has said goodbye to two members: Vicki Noteis of Kansas City and Stuart

Scroggs of Columbia. Both of these individuals have been extremely valuable to the Division and the Board. Vicki served as Chair of the Architectural Division where she provided both insight and wisdom. Stuart served as Vice Chair; his dedication and hard work on Division issues such as Intern Development Program (IDP) and continuing education will be long appreciated. The Architectural Division thanks both Vicki and Stuart for their extraordinary work while serving the people and the

profession.

The Architectural Division and the Board continue to work on a variety of issues important to improving professional practice:

### COMITY:

Comity (commonly called reciprocity) provides for practitioners in one jurisdiction to apply for and receive registration in another jurisdiction. This is not only an issue between the States but has also become an issue effecting international practice.

Canada and the United States have a common system through IDP and the Architectural Registration Examination (ARE), so in most cases it is relatively easy for practitioners in these States and Provinces to get licensed in other jurisdictions provided they have NCARB certification (commonly called a "Blue Jacket").

Architects from Mexico, Europe, and most other countries have a different educational and licensing system. This makes it almost impossible for architects from these jurisdictions to become licensed in most States. NCARB is working with representatives from both Mexico and Europe to resolve this problem.

The best solution to solve comity issues between States and Provinces as well as other countries, is for NCARB to act as the central clearing house to evaluate architects from all jurisdictions and provide "Blue Jackets" to those who are qualified. As previously mentioned, this is in place on a

State/Province level. NCARB is negotiating to put it in place on an international level. To remove barriers on a state level, each state is being asked to accept the "Blue Jacket" as equivalent education and training. In accordance with state statute, the Board is proposing a rule that will make this the official path to comity.

### ELECTRONIC SEALS:

Registrants of all disciplines have been expressing strong concerns about "electronic sealing" of documents. The term "electronic seal" means many things to different people. The Board has proposed a revised rule, which allows for seals to be plotted on drawings and for signatures to be applied by either manual or electronic means. The plotting of a seal on a document is not an "electronic seal"; it is just a seal like a stamp. The signature, which is used for authentication, is the critical item. The signature may be hand signed on each document or it may be electronic using authentication software. A facsimile of a signature created using a digitized image is not a legal signature.

The new proposed rule, which will allow seals to be plotted and signatures to be electronic or hand signed, is now available for review and will go into effect following the comment and review process. [A copy of the Board's Proposed Rule also appears in this newsletter on pages 27-28.](#)

### CONTINUING EDUCATION:

Continuing education is finally

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being put in place for architects. The proposed rule setting out the requirements for continuing education is now in the final review phase. The objective of the Architectural Division is to develop a rule that is consistent with other states so our practitioners can maintain ease of comity and record keeping. It essentially parallels the AIA requirements and AIA will maintain the records at no charge as a service to all architects including non-members. Reporting continuing education will be at the time of registration renewal.

In conclusion, the new rules discussed above will improve the practice of architecture in our state and bring us into closer association with architects from other jurisdictions. Review the proposed rules and give us your feedback to help make them even better.

## PROFESSIONAL ENGINEERING DIVISION LETTER

By: Josephine L. Emerick,  
Division Chair



### Continuing Professional Competency for Professional Engineers

All professional engineers in Missouri should be aware of the requirement for continuing professional competency. Professional Engineers, with a current license valid through December 2004, will need to have 30 Professional Development

Hours (PDHs) prior to renewing their license in late 2004. These PDH's can be obtained anytime during 2003 or 2004. For the Professional Engineers whose licenses are valid through December 2003, PDHs will not be required when they renew this year, but will be required when they renew in late 2005. These PDHs will need to be obtained during 2004 or 2005. More information related to continuing professional competency is available on the Board's web site.

### Engineering Education

As we know, the 3 E's of a licensed professional engineer are education, experience and examinations. Let's talk a little about the education of the engineer. In the early 1930's, guidelines were developed to accredit engineering schools. An accreditation agency, now known as the Accreditation Board for Engineering and Technology (ABET) was formed. Since that time technology has continued to change. Engineering education has changed and is providing more than just technical competence, although the number of required credit hours for an engineering degree has been reduced. The recently revised guidelines for accreditation include the evaluation of a program's educational objectives and their related outcomes and assessment.

Bob Krebs, P.E., L.S., President of the National Council of Examiners for Engineering and Surveying (Council), included the following comments in the December 2002 Licensure Exchange:

"Now that there is an institutional change in how education is administered and how learning outcomes are measured, does the Council still have quality assurance and are the end products of this system meeting our minimum competence standard? .... if the Council is to do its due diligence with regard to our pledge and duty to protect the public health, safety, and welfare, we must not take anything, especially education, for granted. We must formulate a clear Council policy with respect to education and define our objectives based on that policy. If deemed necessary, we must create an action plan to assure our Member Boards that candidates for licensure do indeed have the quality education needed as a foundation for professional practice."

Since Missouri is a Member Board which requires an ABET accredited degree, and accepts ABET's evaluation of the engineering program without any further investigation, this issue is very important to us. This subject has been discussed at recent NCEES meetings, and we are preparing for significant discussion at the NCEES Annual Meeting this August. If you have any thoughts on this subject, please let me know.

### Memorandum of Understanding with Geologists

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects has entered into a Memorandum of Understanding (MOU) with the Board of Geologist

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Registration. This MOU comes as a result of discussions with representatives of the Board of Geologists, the Department of Natural Resources and related professional societies. The MOU indicates the agreement between the two Boards to work together on complaints related to overlapping practice areas. [This agreement appears in this newsletter on page 12.](#)

### Electronic Seals

A proposed change to the Board Rules would allow the use of an electronic seal and signature. This language has been developed to address the ability to electronically transfer drawings while maintaining the integrity of a set of sealed documents. [A copy of the Board's Proposed Rule also appears in this newsletter on pages 27-28.](#)

## LAND SURVEYING DIVISION LETTER

By: Thomas J. Mathis,  
Division Chair



The Land Surveying Division is still grappling with several issues which, like wood ticks in southern

Missouri in the summer, seem to progress from irritating to downright dangerous. One of these itching issues has to do with so-called "survey brokers", and whether or not their services con-

stitute the offering of survey services in the State of Missouri. As most of us are aware, these brokers or coordinators are usually internet-based firms who handle large volumes of requests for surveys by asking for a quote from surveyors licensed in a particular area. Some brokers have an "affiliate" program where local surveyors, (for a fee), are placed on a list and are automatically E-mailed or faxed any requests in a specific area. Others simply have a list of surveyors with whom they have worked, and request quotes accordingly. One common denominator seems to be that the lowest bidder gets the job. The brokers usually earn their keep by charging a fee to the client requesting the survey, although some make their money by assessing a "finder's fee" from the surveyor. Still others require the local surveyor to buy a franchise, wherein he gets referrals for work in his own market area. Usually the broker supplies a fancy logo and title block and instructs the local surveyor to add his plat and certificate in a certain format. There is usually a review system, where the plat is checked and corrected, apparently not always by the licensee.

There seems to be a great deal of difference between some of these brokers. Some are simply acting as agents for large corporate clients - are doing the foot-work, so to speak, and do not require their name and logo to be smeared all over the local surveyor's work product. Others seem to infer that they are providing the survey, and one has to look long and hard to discern the licensed

surveyor's name and address on the plat.

So why do I equate all of this to an irritating insect bite? In dealing with complaints against these brokers, the Division must try to determine whether the respondent was/is working within Missouri's licensing laws. The statute (327.281) is very clear: "No person ... shall practice as a professional land surveyor in Missouri as defined in section 327.272 ... unless and until there is issued to such person a license or a certificate of authority...". And section 327.272 defines such practice as "Any person ... who renders or offers to render, or holds himself or herself out as willing to render or perform any service or work..." involving the location of land boundaries. etc. In other words, if a person or entity offers to provide surveying services in the State of Missouri, they must possess a corporate certificate of authority or surveyor's license. And, of course before they can hold a certificate of authority, they must have a licensed professional in responsible charge. Furthermore, 4 CSR 30-13.020(1)(A) requires that, in order to provide adequate personal supervision, "the client requesting preparation of plats, maps ... surveys or other documents makes the request directly to the land surveyor registered with the Board or an employee of the land surveyor registered with the Board, so long as the employee works in the registered individual's place of business and not a separate location".

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So are these brokers offering surveying services? They say no, we're simply coordinating or facilitating the work -- the licensed surveyor actually does the survey. In that case the licensee is probably not meeting the requirements of the immediate personal supervision rule since the client is not dealing directly with him/her. Or is the broker acting as the licensee's client, in which case, it seems odd that the client often wants his name/logo on the plat, and the certificate made out to someone else?

To throw another monkey wrench into the system, our Code of Professional Conduct [4 CSR 30-2.010(10)] requires that "registrants shall not offer, give, receive, either directly or indirectly, any commission, contributions, or valuable gifts in order to secure employment...This provision is not intended to restrict the rights of registrants to ... pay a commission, percentage, or brokerage fee to a ... bona fide established commercial or marketing agency retained by the registrant." If the surveyor pays a finder's fee to the broker, is he breaking the rules, or, are these brokers acting as "marketing agencies" retained by the surveyor?

As might be expected, Missouri is not the only state grappling with this complex and "itchy" issue. In June 2001, the Connecticut Board of Examiners for Professional Engineers and Land Surveyors issued a final order against Bock and Clark Corporation, one of the best known of the survey "national coordinators". The Board, acting

on a complaint alleging that Bock and Clark was offering survey services without being authorized by Connecticut law, and using a title or description that tends to convey to the public that it is authorized to engage in land surveying, concluded that "through its advertising, web site, contracts with Connecticut licensed land surveyors, the Respondent offered to practice land surveying in the state of Connecticut in violation of law." The Board ordered Bock and Clark to immediately discontinue from offering to practice land surveying, or using any title or description tending to convey the impression that it is authorized to do so. The broker appealed the decision to the Connecticut Superior Court, which found that the Board had acted within its statutory limits and dismissed Bock and Clark's appeal. The respondent then appealed to the Connecticut Supreme Court where the case is pending. No doubt the final conclusion of the Connecticut case will influence other state boards accordingly.

So where does this leave the individual Missouri surveyor? Are these "brokers" acting within the law or are they putting your license at risk? Every complaint filed to date against a broker in Missouri has been accompanied by a complaint against the local surveyor. The surveyor, then, must use his professional judgment and look at each case on its own merit. If, for example, the broker expects some sort of kick-back or a percentage of your fee, you may be in violation of our Code of Professional Conduct.

Similarly, if the final work product appears on some one else's title block as if you're an employee of theirs, the broker may be offering surveying services without a certificate of authority. If the broker evaluates your work to determine whether it conforms to "industry standards" and makes changes to your final plat without your input, there is most definitely a problem. The issue is complex, and it's the individual licensed surveyor who is expected to be familiar with the laws and regulations governing the surveying profession, and use his/her best professional judgment to assure compliance.

One thing is sure, with the proliferation of internet marketing and the rapid changes in communication technologies, the trend toward brokers, facilitators and coordinators and away from the individual or small business professional will continue. Whether the passing of more and more of our marketing abilities and skills to some few nationally recognized corporations will ultimately hinder our profession is debatable. At present such alliances probably account for only a small amount of the average surveyor's business, but I'd hate to think that the relationships we strive to build with the public in the course of our business careers will someday be secondary to our relationship with some unseen internet behemoth. It's a bit like that little wood tick that can leave a very nasty bite!

## LANDSCAPE ARCHITECTURAL DIVISION LETTER

By: Robert N. Hartnett,  
Division Chair



R e c e n t changes in the economy and tighter restrictions in travel budgets may have been the

reason that attendance was down at the Spring 2003 Council of Landscape Architectural Registration Boards' (CLARB) meeting in Austin, Texas. Generally, in the past, 45 to 47 states would be represented. However, only 27 states and two Canadian provinces had representation at this session.

CLARB announced that for the first time, Section A (Legal and Administrative Aspects of Design) and Section B (Analytical Aspects of Practice) of the Landscape Architect Registration Exam (LARE) will be administered by computer beginning in August. Candidates will be able to take the exam at any of more than 700 testing centers across the U.S. and Canada. Some of the benefits to the candidate include allowing the examinees to focus their attention on two sections compared to the typical five sections, and faster results. The three remaining sections will continue to be offered in June and December. Again, there was much discus-

sion regarding the CLARB budget and the fees charged to the candidates for the LARE exam, and to the State's for their Member Board dues. Exam fees are expected to rise from \$720 in FY 03 to approximately \$860 by FY 06. Likewise, Missouri member dues will increase from \$3,850 to approximately \$5,000 in the same period, for a total of about \$23.00 per year of your annual registration fee. As you can imagine, the state representatives in attendance expressed concern that the new fee increases may cause some states to pull out of CLARB and some exam candidates choose not to take the LARE.

Recognizing that new sources of revenue must be identified, CLARB created the Center for Collaboration and Education in Design or C2Ed ([www.c2ed.com](http://www.c2ed.com)). C2Ed is owned and operated by CLARB as a for Profit Corporation that is in the business of selling web based continuing education courses to architects, engineers and landscape architects. At the time of the Spring Meeting, 12 CEU hours were available on line with 12 more hours expected by this summer, and 20 hours under development. The reviews by the users were very positive, and the courses were accepted by several registration boards' individual CEU audits. In the first quarter of FY 03, C2Ed generated over \$16,000 of revenue, and CLARB is taking a conservative approach in projecting future income from

C2Ed. The member boards are hopeful that the revenue from C2Ed will minimize, if not decrease, member board fees and exam fees.

On the subject of continuing education, I have asked Missouri Association of Landscape Architects' (MALA) President, Richard Yates, to discuss possible CEU requirements for Missouri LA's with both the St. Louis and Prairie Gateway ASLA presidents. The LA Division will be discussing the subject in Kansas City at the August meeting. If you have any thoughts on this or any other subject that you would like to share with the LA Division, please feel free to get in touch with Patti Banks, Jerany Jackson or me.

### DISCLAIMER

**The articles in this newsletter are the work and opinion of the individual authors and do not necessarily reflect the official opinion or position of the Board.**

## **RANDALL B. MILTENBERGER**

### **New Architect Member of the Board**



Randall B. Miltenberger, President of Miltenberger Architects, Inc. located in St. Louis, Missouri, has been appointed by Governor Bob Holden to serve as a member of the Architectural Division of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. Mr. Miltenberger's appointment went into effect on April 30, 2003.

Mr. Miltenberger has been licensed as an architect in Missouri since August 12, 1974. He has a Bachelor of Architecture with a Minor in Mechanical Engineering and is also currently licensed in four other states. Mr. Miltenberger has a broad background and extensive experience in all phases and management work with specialized emphasis on complex institutional projects including health care, research laboratories, industrial and residential facilities.

As one of the founders of JRB Architects, Inc., Mr. Miltenberger served as Vice President from 1977 until 1981 when he was elected Managing Principal. He acquired full ownership of the St. Louis office of JRB in October 1984 with overall responsibility for management. In addition, he is the Project Manager for the firm's major projects and is responsible for the coordination of all project management activities, staff planning and forecasting of personnel requirements.

Mr. Miltenberger managed an international team of over 100 architects and engineers to execute a \$124 million hospital renovation and addition project in Frankfurt, Germany. He coordinated all team members and directed communication with seven different governmental agencies. He is an architectural representative to the Metropolitan Area Code Review Committee which is responsible for creating a consistent building code for all municipalities in the St. Louis area. Mr. Miltenberger also serves as the Chairman of the Kirkwood Missouri Architectural Review Board which reviews all new construction renovation projects in the central business district and approves all signs/fences throughout the city.

Missouri statute provides that Board Members shall serve a term of four years or until his/her successor is appointed by the Governor. Mr. Miltenberger replaces Stuart S. Scroggs, Columbia, Missouri whose term expired.

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## **OUTGOING BOARD MEMBER**

On behalf of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, we would like to sincerely thank Mr. Stuart S. Scroggs for his dedication to the Board and exemplary services rendered to the people of the state of Missouri while serving on the Board. Mr. Scroggs served as a member of the Architectural Division from February 27, 1998 to April 29, 2003.

The work ethics and commitment on the part of Stuart will certainly be missed. However, we would like to take this opportunity to wish him the very best with his future endeavors.



## MESSAGE FROM DIVISION DIRECTOR



It is no secret that the State is in a financial crisis. Governor Holden has worked diligently to see that essential state services are funded for children and our most vulnerable citizens. The good news, however, is that the Governor's budget included a pay increase of \$600 for all state workers making \$40,000 or less. This increase will be effective July 1. In addition, the Division of Professional Registration is fortunate to be funded through professional licensing fees that are deposited into dedicated funds. The Division, therefore, does not have to rely on general revenue funds for its operation. Our budget was approved as submitted in House Bill 7.

House Bill 600, which was signed into law with an emergency clause making this legislation effective July 1, 2003, affects all licensees within the Division of Professional Registration. Effective July 1, 2003, all persons and business entities applying for or renewing a professional license with the Division of Professional Registration are required to have paid all Missouri income taxes, and also are required to have filed all necessary state income tax returns for the preceding three years. If licensees have failed to pay their taxes or have failed to file their tax returns, their licenses will be subject to immediate revocation within 90 days of being notified by the Missouri Department of Revenue of any delinquency or failure to file. This requirement was enacted in House Bill 600 of the 92nd General Assembly (2003), and was signed into law on July 1st by the Governor. My Administrative Staff and the Division's Management Information System Staff are working with the Department of Revenue and the Attorney General's Office to establish the necessary procedures for implementing this bill.

Finally, my Administrative Staff along with the Division's Management Information System Staff have been working toward making online renewal a reality. We have just awarded the credit card contract and are hoping to start pilot boards renewing online this fall.

Yours truly,

A handwritten signature in cursive script, reading "Marilyn Taylor Williams".

Marilyn Taylor Williams  
Division Director

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## CALENDAR OF EVENTS

**August 13, 14, 15 & 16, 2003**  
NCEES Annual Meeting-Baltimore, Maryland

**August 24, 25 & 26, 2003**  
Board Meeting-Kansas City, Missouri

**September 11, 12 & 13, 2003**  
CLARB Annual Meeting-Salt Lake City, Utah

**November 2, 3 & 4, 2003**  
Board Meeting-Springfield, Missouri



## 2002 YEAR END REPORT

### NUMBER OF EXAMINATIONS ADMINISTERED:

A.R.E. - Jan. 1, 2002 - December 31, 2002

- Pre-Design
  - 76 Candidates
  - 54 Passed
  - 22 Failed
- Site Planning
  - 58 Candidates
  - 42 Passed
  - 16 Failed
- Building Planning
  - 60 Candidates
  - 41 Passed
  - 19 Failed
- Building Technology
  - 55 Candidates
  - 34 Passed
  - 21 Failed
- General Structures
  - 50 Candidates
  - 38 Passed
  - 12 Failed
- Lateral Forces
  - 46 Candidate
  - 43 Passed
  - 3 Failed
- Mechanical & Electrical Systems
  - 60 Candidates
  - 46 Passed
  - 14 Failed
- Materials & Methods
  - 62 Candidates
  - 58 Passed
  - 4 Failed

- Construction Document Service
  - 64 Candidates
  - 57 Passed
  - 7 Failed
- Professional Engineering Examinations (April, 2002 and October, 2002)
  - 518 Candidates
  - 282 Passed
  - 236 Failed
- Engineering-In-Training Examinations (April, 2002 and October, 2002)
  - 961 Candidates
  - 686 Passed
  - 275 Failed
- Principles and Practice of Land Surveying Examinations (April, 2002 and October, 2002)
  - 30 Candidates
  - 24 Passed
  - 6 Failed
- Missouri Specific of Land Surveying (April, 2002 and October, 2002)
  - 53 Candidates
  - 21 Passed
  - 32 Failed
- Fundamentals of Land Surveying Examinations (April, 2002 and October, 2002)
  - 70 Candidates
  - 36 Passed
  - 34 Failed

### NUMBER OF LANDSCAPE ARCHITECT EXAMINATIONS ADMINISTERED:

L.A.R.E. - January 1, 2002 - December 31, 2002

- Section A
  - 10 Candidates
  - 8 Passed
  - 2 Failed
- Section B
  - 8 Candidates
  - 7 Passed
  - 1 Failed
- Section C
  - 13 Candidates
  - 6 Passed
  - 7 Failed

- Section D
  - 9 Candidates
  - 9 Passed
  - 0 Failed
- Section E
  - 13 Candidates
  - 6 Passed
  - 7 Failed
- Plant Materials
  - 9 Candidates
  - 9 Passed
  - 0 Failed

**NUMBER OF REGISTRATIONS GRANTED BY COMITY:**

|                      |       |
|----------------------|-------|
| Architectural        | - 181 |
| Engineering          | - 372 |
| Land Surveying       | - 8   |
| Landscape Architects | - 8   |

**NUMBER OF CORPORATE CERTIFICATES OF AUTHORITY ISSUED:**

|                         |      |
|-------------------------|------|
| Architectural           | - 29 |
| Engineering             | - 88 |
| Land Surveying          | - 19 |
| Landscape Architectural | - 5  |

**TOTAL OF MISSOURI LICENSEES AS OF DECEMBER 31, 2002:**

|                            |            |
|----------------------------|------------|
| Architects                 | 4,522      |
| Professional Engineers     | 15,792     |
| Land Surveyors             | 916        |
| Landscape Architects       | <u>233</u> |
| Total Individual Licensees | 21,463     |

|                                      |           |
|--------------------------------------|-----------|
| Architectural Corporations           | 468       |
| Engineering Corporations             | 874       |
| Land Surveying Corporations          | 221       |
| Landscape Architectural Corporations | <u>32</u> |
| Total Corporate Licenses             | 1,595     |

**STATISTICS FOR 2002****COMPLAINTS: (Pending at Beginning of 2002 - 59)****Breakdown of New Complaints Filed in 2002**

|  |          |
|--|----------|
| Unregistered persons practicing architecture   | 15       |
| Unregistered persons practicing architecture and engineering   | 9        |
| Unregistered persons practicing engineering  | 21       |
| Unregistered persons practicing land surveying   | 7        |
| Unregistered persons practicing landscape architecture   | 1        |
| Architects practicing engineering  | 0        |
| Engineers practicing architecture  | 0        |
| Engineers practicing land surveying  | 0        |
| Land Surveyors practicing engineering  | 0        |
| Landscape Architects practicing architecture   | 0        |
| Architects charged with unprofessional conduct   | 4        |
| Engineers charged with unprofessional conduct  | 8        |
| Land Surveyors charged with unprofessional conduct   | 10       |
| Landscape Architects charged with unprofessional conduct   | 0        |
| Architects disciplined in another state  | 1        |
| Engineers disciplined in another state   | 3        |
| Land Surveyors disciplined in another state  | 0        |
| Landscape Architects discipline in another state   | 0        |
| Federal Exemption Clause   | 0        |
| Offering architectural services without a Corporate Certificate of Authority   | 0        |
| Offering engineering services without a Corporate Certificate of Authority   | 3        |
| Offering land surveying services without a Corporate Certificate of Authority  | 0        |
| Offering landscape architecture without a Corporate Certificate of Authority   | 0        |
| Architects/Engineers/Landscape Architects charged with fraud, incompetency or negligence                             | 16       |
| Land Surveyors charged with incompetent surveys, inaccurate surveys, or Surveyors that do not meet Minimum Standards | 6        |
| Failure to Provide Immediate Personal Supervision  | 2        |
| Other violation  | <u>5</u> |

***Total Number of New Complaints filed in 2002 - 110***

## **STATISTICS FOR 2002 (Continued)**

### **COMPLAINTS: (Pending at Beginning of 2002 - 59)**

#### **Breakdown of Complaint Files Closed In 2002**

|   |          |
|---|----------|
| Formal censure based on cause of discipline                                       | 0        |
| Placed on probation   | 3        |
| Suspensions   | 0        |
| Suspension followed by probation  | 0        |
| Injunction obtained   | 1        |
| Insufficient evidence of violation, no action taken                               | 10       |
| License revoked   | 0        |
| Not within the jurisdiction of the Board  | 17       |
| Satisfactory completion of probation  | 2        |
| Voluntary surrender of license  | 1        |
| Complaint was withdrawn by complainant  | 1        |
| Corporate Certificate of Authority was obtained                                   | 6        |
| Individual agreed to NOT renew license in lieu of discipline (Inactive Status)    | 0        |
| Application for reregistration was denied   | 0        |
| Acceptance of settlement offer  | 0        |
| Per decision of the court   | 0        |
| Voluntary reporting completed   | 0        |
| Written assurances to either cease and desist or to comply w/Chapter 327 received | 8        |
| Letter from Board advising of violation but no action taken                       | 24       |
| Letter of Reprimand   | 0        |
| Federal Exemption Clause  | 0        |
| Other Action  | <u>4</u> |

***Total Number of Complaint Files Closed in 2002: 76***

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#### **UNLICENSED PRACTICE:**

As you can see, the Board has had 53 complaints filed in 2002 against individuals who were charged with practicing architecture, professional engineering, land surveying and/or landscape architecture without being properly licensed. If an individual refuses to voluntarily cease and desist all illegal activities and to conduct all future activities in compliance with Chapter 327, then the Board can request the Attorney General's

office to file suit in the appropriate circuit court seeking an injunction to restrain that individual from practicing architecture, professional engineering, land surveying and/or landscape architecture without a license. Currently, the Board has authorized the Office of the Attorney General to file one (1) case in Circuit Court to obtain an injunction to restrain illegal practice of architecture, professional engineering, land surveying and/or landscape architecture.

## **WHAT DOES THE MOU REALLY MEAN?**

In the Fall of 2002, the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects ("APELSLA") and the State Board of Geologist Registration ("Geologist Board") entered into a Memorandum of Understanding ("MOU") to clarify the role of licensed professional engineers with regard to Section 256.471.3, RSMo 2000.

The text of the MOU is as follows:

We, the undersigned, agree to work together in good faith to resolve the issues related to overlapping practice areas between registered geologists and licensed engineers. We recognize that by working together to address these issues, we will best serve the needs and goals of the public, our respective professions, licensees, members, and constituents.

The Board of Geologist Registration and the Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects acknowledge that there is an overlap in expertise between certain geologists and engineers. The Boards agree Section 256.471.3 will be interpreted to mean that engineers will be exempt from geologist registration requirements because the APELSLA will discipline their practitioners as appropriate in consultation with the Board of Geologist Registration. It is further agreed that matters of professional competency are within the statutory and/or regulatory authority of the respective boards.

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### **MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS SUCCESSFUL EXAMINATION CANDIDATES NCEES PRINCIPLES AND PRACTICE OF LAND SURVEYING EXAMINATION AND/OR MISSOURI STATE SPECIFIC EXAMINATION October, 2002**

Edgar Barnal  
Gary Delf  
Stanley Denninger  
Douglas Farrar

Jason Kemna  
Ray Riggs  
Danny Schmitz  
Kathleen Schwerb



**MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS  
SUCCESSFUL EXAMINATION CANDIDATES  
NCEES PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION  
OCTOBER 25, 2002**

Michael E. Anderson  
R. Douglas Antholz  
Amir Arab  
Joel Phillip Asunskis  
John Patrick Baker  
Rodney Scott Baker  
Peter C. Beaulieu  
Mermel V. Blanco  
Donald L. Brundage  
Timothy R. Burk  
Ryan Lawrence  
Buschjost  
Matthew Cappello  
Jeffrey L. Carril  
Christopher Carson  
Vicki Lynn Cason  
Jeffrey Shawn Cessna  
Edward Pye  
Chamberlayne  
John R. Chickey  
Donna K. Coatsworth  
Richard C. Collins  
Paul G. Conley  
Leonidas H.  
Cossyphas  
Sean E. Courtois  
Craig A. Crader  
Harold J. Crouch Jr.  
Stephen Michael  
Cummins  
Scott Anthony Davis  
Kirby L. Diller  
John Charles Dillon  
Christopher Glen  
Dorow  
Stephen Edward  
Douglas  
Shelley Lynn Druessel  
Jerome E. Elliott  
Samuel D. Erter  
Jeremy B. Estep

John Edward Falk  
Kelly Sue Feldmann  
Cynthia Marie Freeman  
John Louis Galinski  
Dianchen Gang  
Ashish Ghosh  
Kurt Louis Gremmler  
Paul S. Guthrie Jr.  
Chad Dale Hall  
Lisa R. Harrison  
Anne M. Hays  
Brady Hays  
Joanne Kay Hoban  
Matthew D. Houser  
Mark William Hubert  
Jeffrey Joseph Huck  
Michael Christopher  
Hutchinson  
Adil M. Imdad  
Mark O. Ippoliti  
Bradley N. Jackson  
Jeremy Ray Johnson  
Keith C. Juedemann  
Adam Joseph Kaiser  
Scott L. Kastman  
Justin A. Kindt  
Paul Kinton  
Jason L. Kling  
Donald J. Kocian  
Brian Neil Koelling  
Paul H. Kohne  
Eric M. Lagemann  
Gwen Elise Lagemann  
Chidambaram Chinna  
Latha  
Mark Andrew Liggett  
David J. Lowry  
David A. Magistro  
Brian William Makovec  
Amir Mashhad  
Neil S. Massart

Chadwick J. Mathes  
Rand E. Matney  
Jeffrey A. Meyer  
John Anthony Mihulka  
Wesley L. Minder  
Kevin David Morin  
Chad Alan Morris  
Nathan Kyle Morton  
Vern H. Mulkey  
Kirsten Ann Munck  
Anindya Nandy  
William M. Nash  
David Leroy Newton II  
Timothy R. Nugent  
Kevin Charles Oberly  
Patrick S. O'Brien  
Craig Crispin O'Connell  
Timothy Patrick O'Mara  
Alan W. Opel  
Robert N. Owens  
Peter K. Parker  
Rodney S. Parrott  
Casey R. Patton  
Manuel Antonio Perotin  
Robert Arnold Perue  
Michael J. Pessina  
David M. Plehn  
Stephen M. Pries  
Victor L. Rackers  
Carla A. Ross  
Renee L. Ross  
Leah Marie Ruder  
Steven D. Schrage  
Phillip Andrew Shively  
Roger W. Sparks  
Tamara L. Spicer  
Meredith Ann Springs  
Steven T. Stirnemann  
Ralph S. Stone  
Kimberly Anne  
Streicher

Weldon R. Stubbs  
Kevin M. Suiter  
David B. Tag  
Jeffery Scott Thomas  
Charles E. Touzinsky III  
Terrell W. Waller  
Brian F. Waltman  
Zhenyu James Wang  
James Ross Watson  
William Jeffrey Watson  
Jaclyn A. White  
Earl Richard Wilcox Jr.  
Christina Fran Willson  
Christopher B. Wright  
Steven C. Wyatt  
Michael James Yount  
Man Ho Yu

## DISCIPLINARY ACTIONS

*DISCLAIMER: Every effort has been made to ensure that the following enforcement information is correct. However, this information should not be relied upon without verification from the Board office. It should be noted that the names of companies and individuals listed may be similar to the names of the parties who have not had enforcement actions taken against them. Discipline orders are public data and copies may be obtained by contacting the Board office. Pursuant to Chapter 327, RSMo, a licensee **is** entitled to engage in the practice of architecture, engineering, land surveying or landscape architecture during his/her **probationary** period providing that the licensee adheres to all of the terms and conditions of the Order. However, a licensee whose license has been suspended, **is not** entitled to engage in the practice of architecture, engineering, land surveying or landscape architecture during his/her **suspension** period.*

### SUSPENSION

#### DAVID L. HEURING, A-7815

New Berlin, Illinois

Mr. Heuring agreed to a settlement whereby his architectural license was suspended for a period of six (6) months commencing March 15, 2003 and ending September 14, 2003 followed by probation for a period of two (2) years commencing on September 15, 2003 and ending September 24, 2005.

CAUSE FOR DISCIPLINE: Section 327.441.2(2), (5), (6), (8) and (13). Being finally adjudicated and found guilty in a criminal prosecution for any offense, an essential element of which is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude; misconduct in the practice of architecture; violation of, assisting or enabling violation of, a Board rule; disciplinary action against the holder of a license by another state; and violation of any professional trust or confidence.

### PROBATION

#### TRANSFER OF PROBATION

**TO 210, LLC, LS-2002011856-F**, St. Louis, Missouri  
**FROM R.L.S. OF MISSOURI, INC., LS-330-D**, Clayton, Missouri

By agreed upon settlement, 210 LLC's (formerly known as R.L.S. of Missouri, Inc.) Corporate Certificate of Authority was placed on probation for a period of three years commencing April 19, 2002 and ending April 18, 2005.

CAUSE FOR DISCIPLINE: Section 327.441.2(5), (6) and (13). Misconduct in the practice of professional land surveying; violation of, assisting or enabling violation of, a Board rule and violation of any professional trust or confidence.

#### WILLIAM T. DERINGTON, A-4061

Springfield, Missouri

Mr. Derington agreed to a settlement whereby his architectural license was placed on probation for a period of three (3) years commencing February 21, 2003 and ending February 20, 2006.

CAUSE FOR DISCIPLINE: Section 327.441.2(5), (6), (10) and (13). Misconduct in the practice of architecture; violation of, assisting or enabling violation of, a Board rule; and violation of any professional trust or confidence.

*Continued on Page 15*

## PROBATION Continued

*Continued from Page 14*

### **THOMAS M. EDELMAN, E-19905** Springfield, Missouri

Mr. Edelman agreed to a settlement whereby his professional engineering license was placed on probation for a period of five (5) years commencing November 27, 2002 and ending November 26, 2007.

CAUSE FOR DISCIPLINE: Section 327.441.2(5), (6), (10) and (13). Misconduct in the practice of engineering; violation of, assisting or enabling violation of, a Board rule; and violation of any professional trust or confidence

### **RONALD J. SLONE, A-3393** Springfield, Missouri

Mr. Slone agreed to a settlement whereby his architectural license was placed on probation for a period of three (3) years commencing February 21, 2003 and ending February 20, 2006.

CAUSE FOR DISCIPLINE: Section 327.441.2(5), (6) and (13). Misconduct in the practice of architecture; violation of, assisting or enabling violation of, a Board rule; and violation of any professional trust or confidence.

## INJUNCTION

### **JAMES C. GERHARDT, NOT REGISTERED, DEREK J. GERHARDT, NOT REGISTERED, AND CENTRAL FIRE AND SAFETY, INC.** St. Louis, Missouri

On March 17, 2003, the Circuit Court of St. Louis County, Missouri issued a Consent Judgment for Permanent Injunction against James C. Gerhardt, Derek J. Gerhardt and Central Fire and Safety, Inc. enjoining Messrs. Gerhardt and Central Fire and Safety, Inc. from practicing professional engineering as defined in Sections 327.181, 327.191, 327.401 and 327.401.2, RSMo 2000, unless and until they possess a valid license or certificate of authority, as appropriate, issued by the Board.

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## RULE CHANGES

### **Effective April 30, 2003, the following Board Rules were amended:**

#### **4 CSR 30-3.010 Official Seal of Board**

*PURPOSE:* This rule describes the official seal of the board.

(1) The official seal of the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects shall consist of the Great Seal of the State of Missouri, minus the words The Great Seal of the State of Missouri and in substitution for which words shall be the words Board for Architects, Professional Engineers, Professional Land Surveyors, and

Landscape Architects, divided by the word Missouri, all the words engraved and surrounded by a cord-like circle within a fringed circle and of the dimensions of two and one-quarter inches (2 1/4") in diameter.

*AUTHORITY:* section 327.041, RSMo Supp. 2001.\* Original rule filed March 16, 1970, effective April 16, 1970. Amended: Filed Oct. 30, 2002, effective April 30, 2003.

\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001.

*Continued on Page 16*

## RULE CHANGES Continued

*Continued from Page 15*

### **4 CSR 30-3.050 Licensee's Seal-Landscape Architect**

*PURPOSE: This rule describes the format for personal seal of a landscape architect.*

(1) Each licensed landscape architect, at his/her own expense, may secure a seal one and three-quarters inches (1 3/4") in diameter of the following design: the seal may consist of two (2) concentric circles between which shall appear in Roman capital letters, the words, State of Missouri on the upper part of the seal and Landscape Architect on the lower part and within the inner circle may appear the name of the licensee, together with his/her license number preceded by the Roman capital letters LA.

(2) Rubber stamps, identical in size, design and content with the approved seals may be used by the licensee at his/her option.

(3) In addition to the personal seal or rubber stamp, the landscape architect may also affix his/her signature on and through his/her seal, and place the original date under the seal, at the minimum, to the original of each sheet in a set of plans, drawings, specifications, estimates, reports and other documents which were prepared by the landscape architect or under the landscape architect's immediate personal supervision.

(A) When revisions are made, the landscape architect who made the revisions or under whose immediate personal supervision the revisions were made may sign, seal and date each sheet and provide an explanation of the revisions.

(B) On multiple page specifications, estimates, reports and other documents or instruments, not considered to be plans, the landscape architect, when more than one (1) sheet is bound together in one (1) volume, may sign, seal and date only the title or index sheet, providing that the signed sheet clearly identifies all of the other sheets comprising the bound volume. Provided further that any of the other sheets which were

prepared by, or under the immediate personal supervision of another landscape architect be signed, sealed and dated as provided for, by the other landscape architect and any additions, deletions or other revisions may not be made unless signed, sealed and dated by the landscape architect who made the revisions or under whose immediate personal supervision the revisions were made.

(4) Plans, when submitted for the review of others such as clients or permit authorities, may be signed, sealed and dated unless clearly designated preliminary or incomplete. If the plan is not completed, the phrase "Preliminary-not for construction" or similar language or phrase may be placed in an obvious location so that it is readily found, easily read and not obscured by other markings. It may be a disclaimer and notice to others that the plans are not complete. When the plan is completed, the phrase "Preliminary-not for construction" or other disclaimer may be removed or crossed-out and the seal holder should sign the cancellation of the disclaimer as a revision to the plan.

(5) In the instance of one (1) licensee performing design for other licensees to incorporate into his/her documents, each licensee may seal, date and sign those documents, using the appropriate disclaimer for clarification of each licensee's responsibility.

(6) The signing and sealing of plans, specifications, reports and other documents or instruments not prepared by the landscape architect or under his/her immediate personal supervision is prohibited.

*AUTHORITY: section 327.041, RSMo Supp. 2001.\* Original rule filed Oct. 30, 2002, effective April 30, 2003.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001.*

*Continued on Page 17*



## RULE CHANGES Continued

*Continued from Page 16*

### **4 CSR 30-4.010 Filing Deadline-Architects, Professional Engineers, Professional Land Surveyors, Landscape Architects, Engineer Interns and Land Surveyors-in-Training**

*PURPOSE: This rule sets filing deadline for applicants for examination and licensure as architects, professional engineers, professional land surveyors, landscape architects, engineer interns and land surveyors-in-training.*

(1) All applications for examination and licensure as an architect, professional engineer, professional land surveyor or landscape architect and all applications for examination and enrollment as an engineer intern or land surveyor-in-training shall be filed with the board prior to the established filing deadline.

*AUTHORITY: sections 327.141, 327.231, 327.241, 327.312 and 327.313, RSMo 2000 and 327.041 and 327.615, RSMo Supp. 2001.\* Original rule filed Aug. 22, 1973, effective Sept. 22, 1973. Amended: Filed Jan. 12, 1984, effective April 12, 1984. Amended: Filed Oct. 30, 2002, effective April 30, 2003.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001; 327.141, RSMo 1969, amended 1981, 1999; 327.231, RSMo 1969, amended 1981, 1999; 327.241, RSMo 1969, amended 1977, 1981, 1983, 1999; 327.312, RSMo 1983, amended 1999; 327.313, RSMo 1983, amended 1999; and 327.615, RSMo 1989, amended 2001.*

### **4 CSR 30-4.020 Filing Deadline-Engineer-in-Training**

*(Rescinded April 30, 2003)*

*AUTHORITY: section 327.041, RSMo 1986. Original rule filed May 4, 1973, effective June 4, 1973. Amended: Filed July 20, 1987, effective Oct. 25, 1987. Rescinded: Filed Oct. 30, 2002,*

*effective April 30, 2003.*

### **4 CSR 30-4.090 Evaluation-Comity Applications-Landscape Architects**

*PURPOSE: This rule ensures that an applicant for licensure by comity meets the minimum requirement for initial licensure in Missouri.*

(1) Individuals who are certified or licensed in another state or territory of the United States and have qualifications which are at least equivalent to the requirements for licensure as a landscape architect in this state may apply for registration by comity.

(2) Landscape architect applicants for comity are required to take and pass the Missouri Plant Materials exam, unless the board determines that they have passed a plant materials exam administered by another state that is deemed substantially similar to Missouri's.

(3) Applications shall be typewritten on forms provided by the board and shall be accompanied by the required fee.

*AUTHORITY: sections 327.041 and 327.623, RSMo Supp 2001.\* Original rule filed Oct. 30, 2002, effective April 30, 2003.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001 and 327.623, RSMo 1989 amended 2001.*

### **4 CSR 30-5.140 CLARB Examinations-Landscape Architects**

*PURPOSE: This rule adopts the Council of Landscape Architectural Registration Boards' Landscape Architect Registration Examination (LARE) or its successor.*

*Continued on Page 18*

## RULE CHANGES Continued

*Continued from Page 17*

(1) The board adopts the Council of Landscape Architectural Registration Boards' (CLARB) Landscape Architect Registration Examination (LARE) or its successor as its own. All applications for examination as a landscape architect shall be filed with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects, or a substantially equivalent provider so designated by the board, prior to the deadline established by the board. An applicant shall obtain a passing score on each portion of the examination in accordance with CLARB standards.

(2) All applicants taking a national examination prescribed by the board may also be required, at the discretion of the landscape architect division, to take and pass an examination, which demonstrates the applicant's knowledge of plant materials, native and adapted, to Missouri.

*AUTHORITY: sections 327.041 and 327.617, RSMo Supp. 2001.\* Original rule filed Oct. 30, 2002, effective April 30, 2003.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001, 327.617, RSMo 1989, amended 2001.*

### **4 CSR 30-5.150 Standards for Admission to Examination-Landscape Architects**

*PURPOSE: This rule sets out standards for admission to landscape architectural examinations.*

(1) A Missouri applicant shall have a degree in landscape architecture from an accredited school of landscape architecture and have acquired at least three (3) years' satisfactory landscape architectural experience after acquiring that degree to qualify for the Council of Landscape Architectural Registration Boards' (CLARB) Landscape Architect Registration Examination (LARE), or its

successor and the landscape architect division's plant material examination.

(2) For the purpose of admission to the examination, satisfactory training and experience shall include: site investigation; selection and allocation of land and water resources for appropriate use; land use feasibility studies; formulation of graphic and written criteria to govern the planning and design of land construction programs; preparation, review and analysis of master plans for land use and site development; production of overall site plans, grading plans, irrigation plans, planting plans and related construction details; specifications; cost estimates and reports for site development; collaboration in the design of roads and site structures with respect to the functional and aesthetic requirements, but not involving structural design or stability; and field observation of land area construction, restoration and maintenance.

*AUTHORITY: sections 327.041 and 327.612, RSMo Supp. 2001.\* Original rule filed Oct. 30, 2002, effective April 30, 2003.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001, 327.612, RSMo 1989, amended 2001.*

### **4 CSR 30-6.015 Application, Renewal, Reinstatement, Reregistration and Miscellaneous Fees**

*PURPOSE: This rule establishes and fixes various fees and charges authorized by Chapter 327, RSMo.*

(1) The following fees are established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects:

(A) Architectural Application Filing  
Fee-Comity .....\$200

*Continued on Page 19*

## RULE CHANGES Continued

Continued from Page 18

|  |       |
|--|-------|
| (B) Architectural Application Filing     |       |
| Fee-Examination.....                     | \$100 |
| (C) Professional Engineer Application    |       |
| Filing Fee-Comity .....                  | \$200 |
| (D) Professional Engineer Application    |       |
| Filing Fee-Examination.....              | \$100 |
| (E) Land Surveyor Application            |       |
| Filing Fee-Comity .....                  | \$200 |
| (F) Land Surveyor Application Filing     |       |
| Fee-Examination .....                    | \$100 |
| (G) Land Surveyor Missouri Specific      |       |
| Examination .....                        | \$100 |
| (H) Landscape Architect Application      |       |
| Filing Fee-Comity .....                  | \$200 |
| (I) Landscape Architect Application      |       |
| Filing Fee-Examination.....              | \$100 |
| (J) Missouri Plant Material              |       |
| Examination.....                         | \$100 |
| (K) 327.391 Application Filing Fee ..... | \$200 |
| (L) Engineer Intern Application          |       |
| Filing Fee.....                          | \$ 10 |
| (M) Land Surveyor-in-Training            |       |
| Application Filing Fee .....             | \$ 10 |
| (N) Individual Renewal Fee .....         | \$100 |
| (O) Individual Reactivation Fee .....    | \$100 |
| (P) Individual Reinstatement Fee .....   | \$150 |
| (Q) Individual Relicensure Fee.....      | \$200 |
| (R) Corporate Application Fee.....       | \$300 |
| (S) Corporate Renewal Fee .....          | \$200 |
| (T) Corporate Reinstatement Fee .....    | \$250 |
| (U) Corporate Reauthorization Fee .....  | \$300 |
| (V) Certification Fee.....               | \$ 10 |
| (W) Duplicate Certificate License        |       |
| Fee .....                                | \$ 10 |
| (X) Architectural Routing Fee .....      | \$ 25 |
| (Y) Insufficient Funds Check Charge ..   | \$ 25 |
| (Z) Evaluation of Non-Accredited         |       |
| Engineering Degrees.....                 | \$300 |

(2) Fees for photocopying and research shall not exceed the actual cost of the document search and duplication pursuant to section 610.025, RSMo.

(3) The provisions of this rule are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

(4) In addition to the fees established in section (1) of this rule, the applicant shall pay the company or organization selected by the board to administer and/or score any required examination(s) such fee as is determined by agreement of the board and the selected company or organization to be appropriate.

*AUTHORITY: section 327.041, RSMo Supp. 2001.\* Emergency rule filed Aug. 12, 1981, effective Aug. 22, 1981, expired Dec. 10, 1981. Original rule filed Aug. 12, 1981, effective Nov. 12, 1981. Amended: Filed Jan. 12, 1984, effective April 12, 1984. Emergency amendment filed Sept. 6, 1984, effective Sept. 16, 1984, expired Jan. 13, 1985. Amended: Filed Sept. 6, 1984, effective Dec. 13, 1984. Amended: Filed June 5, 1986, effective Aug. 25, 1986. Amended: Filed Jan. 19, 1988, effective March 25, 1988. Amended: Filed Feb. 15, 1989, effective May 11, 1989. Emergency amendment filed Aug. 2, 1990, effective Aug. 12, 1990, expired Dec. 9, 1990. Amended: Filed Aug. 2, 1990, effective Dec. 31, 1990. Amended: Filed Sept. 18, 1990, effective Feb. 14, 1991. Amended: Filed Feb. 14, 1992, effective Aug. 6, 1992. Amended: Filed Oct. 3, 1995, effective April 30, 1996. Amended: Filed Oct. 1, 1998, effective March 30, 1999. Amended: Filed Nov. 21, 2000, effective May 30, 2001. Amended: Filed June 28, 2002, effective Dec. 30, 2002.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001.*

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## RULE CHANGES Continued

Continued from Page 19

### 4 CSR 30-6.020 Reexamination Fees

**PURPOSE:** This rule sets reexamination fees for architects, professional engineers, engineers-in-training, land surveyors-in-training and land surveyors.

(1) The following reexamination/rescheduling application filing fees are established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects:

- (A) Professional Engineer.....\$ 50
- (B) Engineer Intern and  
Fundamentals of Engineering.....\$ 50
- (C) Land Surveyor Missouri Specific ...\$ 75
- (D) Principles and Practice of Land  
Surveying.....\$ 50
- (E) Land Surveyor-in-Training and  
Fundamentals of Land Surveying..\$ 50
- (F) Landscape Architect.....\$ 50
- (G) Landscape Architect Missouri  
Plant Material.....\$ 75

(2) The provisions of this rule are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

(3) In addition to the fees established in section (1) of this rule, the applicant shall pay the company or organization selected by the board to administer and/or score any required examination(s) such fee as is determined by agreement of the board and the selected company or organization to be appropriate.

**AUTHORITY:** section 327.041, RSMo Supp. 2001.\* Original rule filed March 16, 1970, effective April 16, 1970. Emergency amendment filed Aug. 12, 1981, effective Aug. 22, 1981, expired

Dec. 10, 1981. Amended: Filed Aug. 12, 1981, effective Nov. 12, 1981. Emergency amendment filed Jan. 11, 1983, effective Jan. 21, 1983, expired May 21, 1983. Amended: Filed Jan. 11, 1983, effective April 11, 1983. Amended: Filed Jan. 12, 1984, effective April 12, 1984. Amended: Filed June 29, 1988, effective Sept. 29, 1988. Emergency amendment filed Sept. 27, 1988, effective Oct. 7, 1988, expired Feb. 2, 1989. Amended: Filed Sept. 27, 1988, effective Feb. 11, 1989. Amended: Filed Sept. 18, 1990, effective Feb. 14, 1991. Amended: Filed March 3, 1992, effective Aug. 6, 1992. Amended: Filed Oct. 1, 1998, effective March 30, 1999. Amended: Filed Nov. 21, 2000, effective May 30, 2001. Amended: Filed June 28, 2002, effective Dec. 30, 2002.

\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001.

### 4 CSR 30-9.010 Response to Routine Matters (Rescinded April 30, 2003)

**AUTHORITY:** section 327.041, RSMo 1986. Original rule filed March 16, 1970, effective April 16, 1970. Rescinded: Filed Oct. 30, 2002, effective April 30, 2003.

### 4 CSR 30-10.010 Application for Certificate of Authority

**PURPOSE:** This rule establishes standards for corporations to obtain and maintain certificates of authority.

(1) A corporation desiring certificate of authority authorizing it to render architectural or professional engineering or land surveying services in this state shall submit an application to the secretary-treasurer of the board, on forms prescribed and provided by the board, listing the names and address of all officers and directors and the individual employed by it who will be in responsible

Continued on Page 21



## RULE CHANGES Continued

*Continued from Page 20*

charge of architecture or professional engineering or land surveying being practiced in this state through the corporation and who is registered to practice architecture, professional engineering or land surveying in this state, and such other relevant information required by the board.

(2) The words in responsible charge require that the architect, engineer or land surveyor be in direct control and that s/he personally supervise all architecture, engineering or land surveying done for the firm, company or corporation. If the individual in responsible charge is not a full-time employee, the firm, company or corporation must submit a copy of the written contract which defines the responsibility.

(3) A similar type of form shall accompany a corporation's annual renewal fee.

(4) If there is any change in any of the persons listed in the corporation's application during the year, the change shall be reported on the same type of form and submitted to the secretary-treasurer of the board within thirty (30) days after the effective day of the change.

*AUTHORITY: sections 327.041, RSMo 1986.\* Original rule filed Dec. 8, 1981, effective March 11, 1982.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999.*

### 4 CSR 30-11.010 Renewal Period

*PURPOSE: This rule establishes the licensing period for the Missouri Board for Architects, Professional Engineers and Professional Land Surveyors and establishes the information required to keep the records of the board current.*

(1) Effective January 1, 2002 the license issued to every architect, professional engineer, profes-

sional land surveyor and landscape architect in Missouri shall, except as set forth in subsections (1)(A), (1)(B), (1)(C) and (1)(D) of this rule, be renewed biennially. Licenses originally issued in an odd numbered year shall be renewed by December 31 of each odd numbered year. Licenses originally issued in an even numbered year shall be renewed by December 31 of each even numbered year.

(A) Architect, professional engineer and professional land surveyor licenses originally issued in an odd numbered year and currently scheduled for renewal in December 2002 shall be renewed for one (1) year only, whereafter they shall be renewed biennially as set forth in section (1) of this rule.

(B) Architect, professional engineer and professional land surveyor licenses originally issued in an even numbered year and currently scheduled for renewal in December 2003 shall be renewed for one (1) year only, whereafter they shall be renewed biennially as set forth in section (1) of this rule.

(C) Landscape architect licenses originally issued in an odd numbered year and currently scheduled for renewal in October 2003 shall be renewed for two (2) years and two (2) months only, whereafter they shall be renewed biennially as set forth in section (1) of this rule.

(D) Landscape architect licenses originally issued in an even numbered year and currently scheduled for renewal in October 2003 shall be renewed for one (1) year and two (2) months only, whereafter they shall be renewed biennially as set forth in section (1) of this rule.

(E) The fee for renewal of a license under subsections (1)(A), (1)(B), (1)(C) and (1)(D) of this rule shall be prorated based on the renewal fee set forth in 4 CSR 30-6.015.

(2) Effective January 1, 2002 the certificates of authority issued to corporations authorized to offer architectural, engineering and land surveying services in Missouri shall, except as set forth in subsections (2)(A), (2)(B), (2)(C), and (2)(D) of

*Continued on Page 22*

## RULE CHANGES Continued

*Continued from Page 21*

this rule, be renewed biennially. Certificates of authority originally issued in an odd numbered year shall be renewed by December 31 of each odd numbered year. Certificates of authority originally issued in an even numbered year shall be renewed by December 31 of each even numbered year.

(A) Architectural, professional engineering and professional land surveying certificates of authority originally issued in an odd numbered year and currently scheduled for renewal in February 2002 shall be renewed through December 31, 2003, whereafter they shall be renewed biennially as set forth in section (2) of this rule.

(B) Architectural, professional engineering and professional land surveying certificates of authority originally issued in an even numbered year and currently scheduled for renewal in February 2002 shall be renewed through December 31, 2002, whereafter they shall be renewed biennially as set forth in section (2) of this rule.

(C) Architectural, professional engineering and professional land surveying certificates of authority originally issued in an odd numbered year and currently scheduled for renewal in February 2003 shall be renewed through December 31, 2003, whereafter they shall be renewed biennially as set forth in section (2) of this rule.

(D) Architectural, professional engineering and professional land surveying certificates of authority originally issued in an even numbered year and currently scheduled for renewal in February 2003 shall be renewed through December 31, 2004, whereafter they shall be renewed biennially as set forth in section (2) of this rule.

(3) Certificates of authority issued to corporations offering landscape architectural services in Missouri should, except as set forth in subsections (3)(A) and (3)(B) of this rule, be renewed biennially. Certificates of authority originally

issued in an odd numbered year should be renewed by December 31 of each odd numbered year. Certificates of authority originally issued in an even numbered year should be renewed by December 31 each even numbered year.

(A) Landscape architectural certificates of authority originally issued in an odd numbered year and currently scheduled for renewal in October 2003 should be renewed through December 31, 2005, whereafter they should be renewed biennially as set forth in section (3) of this rule.

(B) Landscape architectural certificates of authority originally issued in an even numbered year and currently scheduled for renewal in October 2003 should be renewed through December 31, 2004, whereafter they should be renewed biennially as set forth in section (3) of this rule.

(4) The fee for renewal of a certificate of authority under subsections (2)(A) through (2)(D) and (3)(A) through (3)(B) of this rule shall be prorated based on the renewal fee set forth in 4 CSR 30-6.015.

(5) Each renewal application from every architect, professional engineer, professional land surveyor and landscape architect in Missouri shall be accompanied by the following information, in addition to any other information the board may require:

- (A) Name;
- (B) Address; and
- (C) Place of employment.

(6) Each person holding a license and each corporation holding a certificate of authority to practice architecture, professional engineering, professional land surveying and landscape architecture in Missouri shall file, in writing, their proper and current mailing address of record with the board at its office in Jefferson City and immediately notify the board, in writing, at its office of any changes of mailing address, giving both the old and the new addresses.

*Continued on Page 23*

## RULE CHANGES Continued

*Continued from Page 22*

(7) Failure to receive an application for renewal of a license or certificate of authority shall not relieve the licensee or certificate holder from their duty to timely renew, nor shall it relieve them from the obligation to pay any additional fee(s) necessitated by any late renewal.

*AUTHORITY: sections 327.011, 327.041 and 327.621, RSMo Supp. 2001 and 327.171, 327.261 and 327.351, RSMo 2000.\* Emergency rule filed Sept. 14, 1981, effective Sept. 24, 1981, expired Jan. 22, 1982. Original rule filed Sept. 14, 1981, effective Dec. 11, 1981. Amended: Filed Feb. 4, 1992, effective June 25, 1992. Amended: Filed Oct. 3, 1995, effective April 30, 1996. Rescinded and readopted: Filed June 15, 2001, effective Jan. 30, 2002. Amended: Filed Oct. 30, 2002, effective April 30, 2003.*

### **4 CSR 30-12.010 Public Complaint Handling and Disposition Procedure**

*PURPOSE: This rule establishes a procedure for the receipt, handling and disposition of public complaints by the board, pursuant to the mandate of section 4.16(6) of the Omnibus State Reorganization Act of 1974, Appendix B, RSMo 1986.*

(1) The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects shall receive and process each complaint made against any licensee or certificate holder of the board or unlicensed individual or entity, which complaint alleges certain acts or practices which may constitute one (1) or more violations of the provisions of Chapter 327, RSMo. Any member of the public or the profession or any federal, state or local official, may make and file a complaint with the board. Complaints shall be received from sources without the state of Missouri and processed in the same manner as those originating within Missouri. No member of the Board for

Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects shall file a complaint with this board while s/he holds that office, unless that member excuses him/herself from further board deliberations or activity concerning the matters alleged within that complaint. The executive director or any staff member of the board may file a complaint pursuant to this rule in the same manner as any member of the public.

(2) Complaints should be mailed or delivered to the following address: Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects, PO Box 184, Jefferson City, MO 65102. However, actual receipt of the complaint by the board at its administrative offices in any manner shall be sufficient. Complaint may be made based upon personal knowledge or upon information and belief, reciting information received from other sources.

(3) All complaints shall be made in writing and shall fully identify the complainant by name and address. Complaints may be made on forms provided by the board and are available upon request. Oral or telephone communications will not be considered or processed as complaints, but the person making such communications will be provided with a complaint form and requested to complete it and return it to the board. Any member of the administrative staff of the board may make and file a complaint based upon information and belief, in reliance upon oral, telephone or written communications received by the board, unless those communications are believed by the staff member to be false.

(4) Each complaint received under this rule shall be logged in a book maintained by the board for that purpose. Complaints shall be logged in consecutive order as received. The logbook shall contain a record of each complainant's name and address; the name and address of the subject(s) of the complaint; the date each complaint is

*Continued on Page 24*

## RULE CHANGES Continued

*Continued from Page 23*

received by the board; a brief statement of the acts complained of, including the name of any person injured or victimized by the alleged acts or practices; a notation whether the complaint resulted in its dismissal by the board of informal charges being filed with the Administrative Hearing Commission; and the ultimate disposition of the complaint. This logbook shall be a closed record of the board, but shall be available for inspection at the board's offices only by state senators, representatives or by qualified officials within the executive branch of Missouri government having supervisory, auditing, reporting or budgetary responsibilities or control over the board. Only upon receipt of a written request from a state senator, representative or qualified official, which specifically assures that the request is directly related to their duties as a state senator, representative or official of the executive branch of Missouri government, shall they be permitted to inspect the logbook.

(5) Each complaint shall be acknowledged in writing and investigated by the board. When the complaint is received, the board shall write the complainant informing him/her of the fact and stating that the matter is being referred to the board for consideration at its next regularly scheduled meeting. Later, the complainant shall be informed in writing of the ultimate disposition of the complaint, excluding judicial appeals and shall be provided with copies of the decisions, if any, of the Administrative Hearing Commission and the board at that time. Provided, that the provisions of this subsection shall not apply to complaints filed by staff members of the board, based on information and belief, acting in reliance on third-party information received by the board.

(6) Both the complaint and any information obtained as a result of the investigation of the complaint shall be considered a closed record of the board and shall not be available for inspection by the public. During the investigative state, the board and its executive staff shall keep the complaint and the fact of its existence confidential to the extent practicable. However, a copy of the complaint and any

attachments shall be provided to any licensee who is the subject of that complaint or his/her legal counsel, upon written request to the board.

(7) This rule shall be deemed to limit the board's authority to file a complaint with the Administrative Hearing Commission charging a licensee or certificate holder of the board with any actionable conduct or violation, whether or not such a complaint exceeds the scope of the acts charged in a preliminary public complaint filed with the board and whether or not any public complaint has been filed with the board.

(8) The board interprets this rule, as required by law, to exist for the benefits of those members of the public who submit complaints to the board and for those persons or entities within the legislative and executive branches of government having supervisory or other responsibilities or control over the professional licensing boards. This rule is not deemed to protect or inure to the benefit of those licensees or certificate holders or other persons against whom the board has instituted or may institute administrative or judicial proceedings concerning possible violations or the provisions of Chapter 327, RSMo.

*AUTHORITY: section 327.041, RSMo Supp. 2001.\* Original rule filed Dec. 8, 1981, effective March 11, 1982. Amended: Filed Sept. 1, 1987, effective Nov. 23, 1987. Amended: Filed Oct. 30, 2002, effective April 30, 2003.*

*\*Original authority: 327.041, RSMo 1969, amended 1981, 1986, 1989, 1993, 1995, 1999, 2001.*

### **4 CSR 30-15.010 Public Records**

(Rescinded April 30, 2003)

*AUTHORITY: section 327.041, RSMo Supp. 1988. Original rule filed Nov. 21, 1988, effective Feb. 11, 1989. Rescinded: Filed Oct. 30, 2002, effective April 30, 2003.*



## LEGISLATION

Senate Bill 478, was Truly Agreed To and Finally Passed in the 2003 Session of the Missouri General Assembly. As some of you may or may not know, Chapter 327 RSMo was revised back in 1999 to allow engineers and land surveyors the option of placing their license in an inactive status in lieu of obtaining the required PDHs or PDUs for renewal of their license; however, there was no such provision for the architects. Fortunately, with the passage of SB 478, architects will now be granted with this same option. This bill also makes technical changes to update Sections 327.401 and 327.411 of the statutes in regard to landscape architects. These revisions will go into effect on August 28, 2003.

For your ease of reference, we have taken the liberty of publishing Section 327.172 (the newly enacted section) as well as the revisions to Sections 327.401 and 327.411, which read as follows:

327.172. 1. An architect licensed in this state may apply to the board for inactive license status on a form furnished by the board. Upon receipt of the completed inactive status application form and the board's determination that the licensee meets the requirements established by rule, the board shall declare the licensee inactive and shall place the licensee on an inactive status list. A person whose license is inactive shall not offer or practice architecture within this state, but may continue to use the title "architect".

2. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of such intention, by paying appropriate fees as determined by the board, and by meeting all established requirements of the board including the demonstration of current knowledge, competency, and skill in the practice of architecture as a condition of reinstatement.

3. In the event an inactive licensee does not maintain a current license in any state for a five-year period immediately prior to requesting reinstatement, that person may be required to take an examination as the board deems necessary to determine such person's qualifications. Such

examination shall cover areas designed to demonstrate the proficiency in current methods of architecture.

327.401. 1. The right to practice as an architect or to practice as a professional engineer or to practice as a professional land surveyor **or to practice as a landscape architect** shall be deemed a personal right, based upon the qualifications of the individual, evidenced by such individual's professional license and shall not be transferable; but any architect or any professional engineer or any professional land surveyor **or any landscape architect** may practice his or her profession through the medium of, or as a member or as an employee of, a partnership or corporation if the plans, specifications, estimates, plats, reports, surveys or other like documents or instruments of the partnership or corporation are signed and stamped with the personal seal of the architect, professional engineer [or], professional land surveyor, **or landscape architect** by whom or under whose immediate personal supervision the same were prepared and provided that the architect or professional engineer or professional land surveyor **or landscape architect** who affixes his or her signature and personal seal to any such plans, specifications, estimates, plats, reports or other documents or instruments shall be personally and professionally responsible therefor.

2. Any domestic corporation formed under the corporation law of this state, or any foreign corporation, now or hereafter organized and having as one of its purposes the practicing of architecture or professional engineering or professional land surveying **or landscape architecture** and any existing corporation which amends its charter to propose to practice architecture or professional engineering or professional land surveying **or landscape architecture** shall obtain a certificate of authority for each profession named in the articles of incorporation or articles of organization from the board which shall be renewed in accordance with the provisions of section 327.171 or 327.261 or 327.351, as the case may be, and

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## LEGISLATION Continued

*Continued from Page 25*

from and after the date of such certificate of authority and while the authority or a renewal thereof is in effect, may offer and render architectural or professional engineering or professional land surveying **or landscape architectural** services in this state if:

- (1) At all times during the authorization or any renewal thereof the directors of the corporation shall have assigned responsibility for the proper conduct of all its architectural or professional engineering or professional land surveying **or landscape architectural** activities in this state to an architect licensed and authorized to practice architecture in this state or to a professional engineer licensed and authorized to practice engineering in this state or to a professional land surveyor licensed and authorized to practice professional land surveying in this state, **or to a landscape architect licensed and authorized to practice landscape architecture in this state**, as the case may be; and
- (2) The person or persons who is or are personally in charge and supervises or supervise the architectural or professional engineering or professional land surveying **or landscape architectural** activities, as the case may be, of any such corporation in this state shall be licensed and authorized to practice architecture or professional engineering or professional land surveying **or landscape architecture**, as the case may be, as provided in this chapter; and
- (3) The corporation pays such fees for the certificate of authority, renewals or reinstatements thereof as are required.

327.411. 1. Each architect and each professional engineer and each professional land surveyor **and each landscape architect** shall have a personal seal in a form prescribed by the board, and he or she shall affix the seal to all final documents including, but not limited to, plans, specifications, estimates, plats, reports, surveys, proposals and other documents or instruments prepared by the licensee, or under such licensee's immediate per-

sonal supervision, and such licensee shall be held personally responsible for the contents of all such documents sealed by such licensee.

2. The personal seal of an architect or professional engineer or professional land surveyor **or landscape architect** shall be the legal equivalent of the licensee's signature whenever and wherever used, and the owner of the seal shall be responsible for the architectural, engineering [or], surveying, **or landscape architectural** documents, as the case may be, when the licensee places his or her personal seal on such plans, specifications, estimates, plats, reports, surveys or other documents or instruments for, or to be used in connection with, any architectural or engineering project [or], survey, **or landscape architectural project**.

3. Any architect, professional engineer [or], professional land surveyor, **or landscape architect** may, but is not required to, attach a statement over his or her signature, authenticated by his or her personal seal, specifying the particular plans, specifications, plats, reports, surveys or other documents or instruments, or portions thereof, intended to be authenticated by the seal, and disclaiming any responsibility for all other plans, specifications, estimates, reports, or other documents or instruments relating to or intended to be used for any part or parts of the architectural or engineering project or survey **or landscape architectural project**.

4. Nothing in this section, or any rule or regulation of the board shall require any professional to seal preliminary or incomplete documents.



## PROPOSED RULE CHANGE

Based on the large number of requests from the Board's licensees for electronic seals and signatures, the Members of the Board voted at their February 3, 2003 meeting, to rescind Board Rules 4 CSR 30-3.020, 4 CSR 30-3.030, 4 CSR 30-3.040 and 4 CSR 30-3.050, all of which describe the format for the personal seal of an architect, professional engineer, professional land surveyor and landscape architect, respectively. And, in place of these rules, the Board Members voted to adopt new language, via Proposed Rule 4 CSR 30-3.060, which allows for the use of electronic seals and signatures. The way the new rule is written, licensees will have the choice of continuing to use their rubber stamp or embossing seal or use a computer-generated image which is identical in size, design and content.

These proposed rescissions and proposed rule will soon be filed with the Missouri Secretary of State and are tentatively scheduled to go into effect in the Spring of 2004. However, since the Secretary of State reserves the right to change the schedule due to special circumstances, we strongly suggest you check the latest publication of the Missouri Register to verify that no changes have been made in this schedule.

*The Missouri Register and Code of State Regulations (CSR)* are now available on the internet. The Register address is <http://www.sos.state.mo.us/adrules/moreg/moreg.asp> and the CSR address is <http://www.sos.state.mo.us/adrules/csr/csr.asp>.

We have taken the liberty of printing the entire language of Proposed Rule 4 CSR 30-3.060 in this newsletter so that you will know exactly what the Board is proposing.

**Title 4-DEPARTMENT OF ECONOMIC  
DEVELOPMENT  
Division 30-Missouri Board for Architects,  
Professional Engineers,  
Professional Land Surveyors, and Landscape  
Architects  
Chapter 3-Seals**

### PROPOSED RULE

#### 4 CSR 30-3.060 Licensee's Seal

*PURPOSE: This rule describes the format for personal seal of an architect, a professional engineer, a professional land surveyor, and a landscape architect.*

(1) Each person licensed as an architect, professional engineer, professional land surveyor or landscape architect (not including interns or individuals "in-training"), shall, at his/her own expense, secure a seal one and three-quarters inches (1  $\frac{3}{4}$ ") in diameter of the following design: the seal shall consist of two concentric circles between which shall appear in Roman capital letters, the words, "State of Missouri" on the upper part of the seal and either "Architect", or "Professional Engineer", or "Professional Land Surveyor", or "Landscape Architect" as the case may be, on the lower part, and within the inner circle shall appear the name of the licensee, together with his/her license number preceded by the Roman capital letter A for Architect, PE for Professional Engineer, PLS for Professional Land Surveyor or LA for Landscape Architect. The seal of an Architect, a Professional Engineer, or a Professional Land Surveyor licensed prior to January 1, 2002, may display the word "Registered" in lieu of the word "Professional" as described herein.

(2) The seal may be in the form of an embossing seal, a rubber stamp, or a computer-generated image, identical in size, design and content with the provisions of paragraph (1) above.

*Continued on Page 28*

## PROPOSED RULE CHANGE Continued

*Continued from Page 27*

(3) In addition to the personal seal, the licensee shall also affix his/her signature on or through his/her seal and place the date when the document was originally sealed, under the seal, at the minimum, to the original of each sheet in a set of plans, drawings, specifications, estimates, reports and other documents which were prepared by the licensee or under his/her immediate personal supervision. The term "signature", as used herein shall mean a handwritten identification containing the name of the person who applied it; or for electronic or digital documents shall mean an electronic authentication process attached to or logically associated with the document. The digital signature must be unique to, and under the sole control of the person using it; it must also be capable of verification and be linked to a document in such manner that the digital signature is invalidated if any data on the document is altered.

(A) Documents that are without an electronic signature or authentication process that are transmitted electronically shall have the seal removed and the following inserted in its place: "This media should not be considered a certified document."

(B) When revisions are made, the licensee who made the revisions or under whose immediate personal supervision the revisions were made shall sign, seal and date each sheet and provide an explanation of the revisions.

(C) In lieu of signing, sealing and dating each page, the licensee(s) may sign, seal and date the title page, an index page, or a seals page on bound multiple page documents not considered to be drawings, providing that the signed page clearly identifies all of the other pages comprising the bound volume. Provided further that any of the other pages which were prepared by, or under the immediate personal supervision of another licensee be signed, sealed and dated as provided for, by the other licensee. Any additions, deletions or other revision shall not be made unless signed, sealed and dated by the licensee who made the revisions or under whose immediate personal supervision the revisions were made.

(4) Plans, specifications, estimates, plats, reports, surveys, and other documents or instruments shall be signed, sealed and dated unless clearly designated preliminary or incomplete. If the plan is not completed, the phrase, "Preliminary, not for construction, recording purposes or implementation" or similar language or phrase shall be placed in an obvious location so that it is readily found, easily read and not obscured by other markings. It shall be a disclaimer and notice to others that the plans are not complete.

(5) In the instance of one (1) licensee performing design for other licensees to incorporate into his/her documents, each licensee shall seal, date and sign those documents, using the appropriate disclaimer for clarification of each licensee's responsibility.

(6) The signing and sealing of plans, specifications, estimates, reports and other documents or instruments not prepared by the licensee or under his/her immediate personal supervision is prohibited.

*AUTHORITY: section 327.041, RSMo Supp. 2001, and section 327.411, RSMo 2000, as amended by Senate Bill 478 (2003). \* Original rule filed Oct. 30, 2002, effective April 30, 2003. Rescinded: Filed*

*PUBLIC ENTITY COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE ENTITY COST: This proposed rule is estimated to cost private entities approximately twenty four thousand eight hundred thirty five dollars (\$24,835.00) annually for the life of the rule. It is anticipated that the total costs will recur annually for the life of the rule, may vary with inflation and are expected to increase annually at the rate projected by the Legislative Oversight Committee. A detailed fiscal note, which estimates the cost of compliance with this rule, has been filed with the Secretary of State.*

*Continued on Page 29*

## PROPOSED RULE CHANGE Continued

*Continued from Page 28*

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects, P.O. Box 184,*

*Jefferson City, Missouri 65102, by facsimile at (573) 751-8046 or by emailing moapels@mail.state.mo.us. To be considered, comments must be received within 30 days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

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## ANNOUNCEMENT OF PUBLIC FORUM

The Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects (Board) invites all architects, professional engineers, professional land surveyors and landscape architects to meet for a public forum. The forum is scheduled for Monday, August 25, 2003 from 5:00 p.m. - 6:00 p.m. at the AIA Kansas City Office, 104 West Ninth Street, Suite 101, Kansas City, Missouri. You are cordially invited to attend the forum for purpose of discussing with the Board any items of common interest relative to licensure, enforcement and regulation of architecture, engineering, land surveying and landscape architecture in the State of Missouri as set forth in Chapter 327, RSMo. If you are interested in current activities of the Board, this would be a good time for you to ask questions and provide personal input. Therefore, if you are interested in attending this meeting, **please phone or fax your response to the Board office by no later than 5:00 p.m., Friday, August 22, 2003.** The Board's fax number is 573/751-8046 and telephone numbers are 573/751-0800 or 573/751-0047.

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## SPRING 2004 NCEES CENTRAL ZONE MEETING TO BE HELD IN ST. LOUIS

Missouri will be hosting the Spring 2004 NCEES Central Zone meeting in St. Louis. We look forward to sharing the Celebrate 2004 festivities commemorating the bicentennial of the Louisiana Purchase and the Lewis and Clark expedition and the centennial of the World's Fair and Olympic Games. The Central Zone includes Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin, in addition to Missouri.

Missouri has also agreed to host the NCEES Annual Meeting in Summer 2008. Attendance will include representatives of all engineering and land surveying licensing boards of the U.S. states and territories.



## EXAMINATION DATES AND FILING DEADLINES

**Completed Application for Examination or Re-examination/Re-scheduling Application Form must be filed (received) in the Board office not later than the filing deadline, no exception.**

### **FLS (LSIT) Examination Dates**

October 25, 2003  
April 17, 2004  
October 30, 2004  
April 16, 2005  
October 29, 2005

### **Final Application Filing Deadline**

June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004  
June 1, 2005

### **Re-Examination/Re-Scheduling Filing Deadline**

August 15, 2003  
February 15, 2004  
August 15, 2004  
February 15, 2005  
August 15, 2005

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### **PLS Examination Dates**

October 24, 2003  
April 16, 2004  
October 29, 2004  
April 15, 2005  
October 28, 2005

### **Final Application Filing Deadline**

June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004  
June 1, 2005

### **Re-Examination/Re-Scheduling Filing Deadline**

August 15, 2003  
February 15, 2004  
August 15, 2004  
February 15, 2005  
August 15, 2005

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### **FE Examination Dates**

October 25, 2003  
April 17, 2004  
October 30, 2004  
April 16, 2005  
October 29, 2005

### **Final Application Filing Deadline**

June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004  
June 1, 2005

### **Evaluation Application Filing Deadlines**

June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004  
June 1, 2005

### **Re-Exam/Re-Scheduling Filing Deadline**

August 15, 2003  
February 15, 2004  
August 15, 2004  
February 15, 2005  
August 15, 2005

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### **PE Examination Dates**

October 24, 2003  
April 16, 2004  
October 29, 2004  
April 15, 2005  
October 28, 2005

### **Final Application Filing Deadline**

June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004  
June 1, 2005

### **Evaluation Application Filing Deadlines**

June 1, 2003  
December 1, 2003  
June 1, 2004  
December 1, 2004  
June 1, 2005

### **Re-Exam/Re-Scheduling Filing Deadline**

August 15, 2003  
February 15, 2004  
August 15, 2004  
February 15, 2005  
August 15, 2005

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## **MOVING? PLEASE NOTIFY THE BOARD OFFICE OF YOUR NEW ADDRESS.**

**Name:** \_\_\_\_\_  
**Profession:** \_\_\_\_\_  
**License Number:** \_\_\_\_\_  
**Old Address:** \_\_\_\_\_  
**New Address:** \_\_\_\_\_  
(P.O. Box must be accompanied  
by your physical address) \_\_\_\_\_  
**Signature:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

Mail to:

Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects  
P.O. Box 184  
Jefferson City, MO 65102

**Governor**  
The Honorable Bob Holden

**Department of Economic Development**  
Joseph L. Driskill, Director

**Division of Professional Registration**  
Marilyn Taylor Williams, Director

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3605 Missouri Boulevard  
P.O. Box 184  
Jefferson City, MO 65109/65102  
(573) 751-0047  
(573) 751-8046 Fax  
(800) 735-2966 TTY  
moapels@mail.state.mo.us  
URL: [www.ecodev.state.mo.us/pr/moapels](http://www.ecodev.state.mo.us/pr/moapels)

*This is an official publication of the Division of Professional Registration.  
Submit articles to APELSLA, PO Box 184, Jefferson City, MO 65102.*

Missouri Board for Architects, Professional  
Engineers, Professional Land Surveyors  
and Landscape Architects  
PO Box 184  
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